

PROPOSED AGENDA
PERSONNEL BOARD MEETING

March 8, 2013
9:30 a.m.

1. Call to Order
2. Reading of the Minutes of Regular Meeting held February 15, 2013
Minutes Signed
3. Executive Director and Secretary's Report
4. Report of the Personnel Cabinet
5. **Oral Arguments**
 - A. Shena Back v. Justice and Public Safety Cabinet (Corrections)
(Request by Appellee)
 - B. Oda Barnes v. Cabinet for Health and Family Services (Request by Appellant)
 - C. William Mark Cassity v. Public Protection Cabinet (ABC) – (Request by Appellant)
 - D. Charles Clay Clement v. Cabinet for Health and Family Services (Request by Appellant)
 - E. Reda Darlene Heflin v. Justice and Public Safety Cabinet (Juvenile Justice)
(Request by Appellant)
6. **Motions**
7. **Investigations**
 - A. Update on Department of Agriculture Investigation
 - B. Michael O'Brian Request – Justice and Public Safety Cabinet (Juvenile Justice)
--Appellee's Response (**Follow-up**)
8. **Closed Session**
9. **Open Session**

10. **Cases to be Decided**

- A. Shena Back v. Justice and Public Safety Cabinet (Corrections) (Dismissal – appeal sustained)
--Appellee's Exceptions and Request for Oral Argument
- B. Oda Barnes v. Cabinet for Health and Family Services (3-day suspension – appeal sustained to the extent of changing to 1-day suspension)
--Appellant's Exceptions and Request for Oral Argument
--Appellee's Response to Exceptions
- C. William Mark Cassity v. Public Protection Cabinet (ABC) – (Dismissal, misconduct – appeal dismissed)
--Appellant's Exceptions and Request for Oral Argument
--Appellee's Response to Exceptions
- D. Charles Clay Clement v. Cabinet for Health and Family Services (Suspension – appeal dismissed)
--Appellant's Exceptions and Request for Oral Argument
--Appellee's Response to Exceptions
- E. Reda Darlene Heflin v. Justice and Public Safety Cabinet (Juvenile Justice) (Salary dispute – appeal dismissed)
--Appellant's Exceptions and Request for Oral Argument
--Appellee's Response to Appellant's Exceptions
- F. Scherry Griffin v. Cabinet for Health and Family Services (Demotion – appeal dismissed) **Deferred from February**
--Appellant's Exceptions and Request for Oral Argument
--Appellee's Exceptions and Request for Oral Argument
--Appellant's Response to Appellee's Exceptions
--Appellee's Response to Appellant's Exceptions
- G. Tina Back v. Cabinet for Health and Family Services (Probationary dismissal, age and disability discrimination – appeal dismissed)
--Appellant's Exceptions
--Appellee's Request for Oral Argument
--Appellee's Response to Exceptions
--Appellant's Withdrawal of Exceptions
--Appellee's Request to Vacate Oral Argument
- H. Adam Duncan v. Justice and Public Safety Cabinet (Corrections) (Agency-directed sick leave – appeal dismissed)
--Appellant's Exceptions
--Appellee's Response to Exceptions

- I. James Schultz v. Tourism, Arts and Heritage Cabinet (KSFB) (Directed sick leave – appeal dismissed)
--Appellant's Exceptions
- J. Shannon Banta v. Justice and Public Safety Cabinet (Corrections) (constructive discharge – appeal dismissed)
- K. Tammy Gallagher v. Transportation Cabinet (Special investigative leave – appeal dismissed, no jurisdiction)
- L. Paul J. Scott v. Cabinet for Health and Family Services (Interim evaluation – appeal dismissed)
- M. Claude Wayman v. Finance and Administration Cabinet (Demotion – appeal dismissed, untimely)

Show Cause Orders – No Response Filed – Appeals Dismissed

11. **Withdrawals**

- A. Beanka Gay v. Transportation Cabinet
- B. Susan Owen v. Cabinet for Health and Family Services
- C. David Richardson v. Tourism, Arts and Heritage Cabinet (Parks)
- D. Charles Wolpert v. Personnel Cabinet

12. **Settlements**

- A. Scotty Mosley v. Tourism, Arts and Heritage Cabinet (KSFB)

13. **Other**